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UNITED STATES OF AMERICA,

Plaintiff(s),

vs.

CHARLES E. VAUGHN, JR.,

Defendant(s).

No.CR-05-0355 MHP

**ORDER RE MOTION
FOR RE-
SENTENCING**

Yet once again defendant returns to this court trying to obtain a clarification or modification of sentence. This time he characterizes it as a “Request for Re-Sentencing”. Without regard to the procedural niceties that apply, the court will address the motion since it can readily be disposed of on the merits.

This is the same request that this court has responded to several times. Defendant received a sentence of 130 months. Now, somehow, he thinks he should have been released earlier this month. He was sentenced on March 23, 2006. Even with credit for time served defendant is nowhere near the end of his sentence. Furthermore, as he was told at the time of sentencing and repeatedly since then, the Bureau of Prisons calculates the time to be credited to sentences, not the court. As explained in the court’s last order defendant received substantial consideration in the plea agreement that set the period for his incarceration. He is not entitled to anything more than was bargained for.

Finally, defendant must cease sending further motions, letters or other papers trying to revisit this issue. The court will issue no further orders with respect to these repeated filings.

1 **All future attempts to revisit this issue will simply be filed and will not receive a response.**
2 **Therefore, defendant shall not file any further papers of any type with respect to this and**
3 **related sentencing issues.**

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5 IT IS SO ORDERED.

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7 Dated: October 28, 2010


8 United States District Court Judge

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United States District Court
For the Northern District of California

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